

REMARKS

In the Office Action of May 24, 2007, the Examiner requires restriction to one of eleven claim groups and one of five sequence identifiers (A) - (E).

Without acquiescing to the statements made in the Restriction Requirement, Applicants hereby elect Group II, claims 7-11 and 15, with traverse, for further prosecution in the instant application. In addition, Applicants elect Group (A) sequence of SEQ ID NO:2, with traverse.

The traversal is on the ground that sufficient reasons and/or examples to justify a Restriction Requirement have not been provided. Applicants submit that it would not be unduly burdensome to examine the nucleic acids that encode the elected polypeptides. Applicants submit that it would not be unduly burdensome to search claims drawn to methods using the polypeptide of claims 8-9 or a composition of claim 11. A search of the polypeptide or composition will likely yield the same results as searching the methods themselves. Therefore, Applicants respectfully submit that the Examiner has not established an undue burden in examining Groups I to IV and VIII to X in the same application.

Additionally, Applicants submit that it would not be unduly burdensome to examine all of the polypeptides (A) to (E) (SEQ ID NOs: 2, 4, 6, 8, and 10). These sequence are all highly identical to one another. The sequences only differ by several amino acid residues from one another. For example, SEQ ID NO:2 only differs from SEQ ID NO:6 at amino acid residues 103 and 168 (See Figure 1). A search of one sequence would likely yield the other sequences. Therefore, Applicants respectfully submit that the Examiner has not established an undue burden in examining Groups (A) to (E) in the same application.

Applicants have amended claims 20-22 and 26 to link these claims to product claims. Support for the amendments can be found at page 4, line 24 to page 5, line 4 and at page 5, lines 22-28. No new matter has been added by the amendment.

Applicants would like to note that when product claims are elected and subsequently found allowable, withdrawn process claims that depend from or otherwise include all the limitations of the allowable product claim(s) should be rejoined in accordance with MPEP § 821.04. In view of the current amendments, claims 12-15 and 20-31 link to the elected Group II claims.

In view of the foregoing, Applicants believe that the claims are in condition for allowance and such action is respectfully requested. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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